

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

NATIONWIDE LIFE AND ANNUITY
INSURANCE COMPANY,

Plaintiff,

vs.

ROGER WEIGEL, in his individual capacity;
TERRI LEMMON, DAN E. INGALLS,
ROGER WEIGEL, in his capacity as
Personal Representative of the Estate of
Debralee Flynn; and ESTATE OF
DEBRALEE FLYNN,

Defendants.

4:22CV3020

**FINAL PROGRESSION ORDER
(AMENDED)**

After holding a status conference on December 17, 2024, the Court grants the Motion for Extension of Discovery and Expert Witness Disclosure. [Filing No. 83](#).

Accordingly,

IT IS ORDERED that the final progression order is amended as follows:

- 1) The deadlines for complete expert disclosures¹ for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

¹ While treating medical and mental health care providers are generally not considered “specially retained experts,” not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert’s treatment records and reports must be separately and timely disclosed.

For the plaintiff(s): March 3, 2025.

For the defendant(s): March 3, 2025.

Rebuttal: April 3, 2025.

- 2) All non-expert depositions, regardless of whether they are intended to be used at trial, will be completed by January 30, 2025. All expert depositions shall be completed by February 28, 2025.
- 3) Motions in limine shall be filed twenty-eight days before trial. It is not the normal practice to hold hearings on motions in limine or to rule on them prior to the first day of trial. Counsel should plan accordingly.
- 4) All other deadlines and provisions in the Court's prior final progression order, [Filing No. 72](#), remain unchanged.

Dated this 18th day of December, 2024.

BY THE COURT:

s/ Jacqueline M. DeLuca

United States Magistrate Judge